

# Retention and Classification Report

**Agency:** District Court (Fourth District : Millard County) (1680)

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## Records Officer

04508	Civil case files
18192	Civil registers of actions
09993	Criminal case files
83443	Judgment docket books
18186	Judgment record books
01406	Minute books
18197	Probate case registers of action index

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 4508

3

**TITLE:** Civil case files

**DATES:** 1896-

**ARRANGEMENT:** Numerical by case number.

**DESCRIPTION:**

Original complaint or summons, and all legal papers filed through disposition or dismissal of civil cases, the proceedings between parties wherein rights are enforced or protected, or wrongs are prevented or redressed, which cannot legally be called criminal cases, involving real property and incidents in Millard County. Transcripts and exhibits are not included. Civil cases include petitions for divorce, suits to recover money, voluntary withdrawal or dissolution of corporations, and writs of habeas corpus. For the approximately twenty years following statehood, grand jury reports and lists, various writs, oaths of office, etc, were also assigned civil case numbers.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**FORMAT MANAGEMENT:**

The retention and disposition information on this schedule applies to the record copy which can be in any format. The record copy can include different formats. Format management information provided here is for the purpose of managing records that are being either stored by or transferred to Utah State Archives.

Paper: Retain in Office permanently or until microfilmed and then destroy provided microfilm has passed inspection.

Microfilm master: Retain in State Archives permanently.

Microfilm duplicate: Retain in Office permanently.

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Administrative Historical Legal

Disposition based on documentation about individuals, legal procedure, court history and functions. Case files have legal and administrative value to the court through dismissal or satisfaction of the final judgment. They enforce or protect private rights and prevent or redress private wrongs. The value

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 4508

**TITLE:** Civil case files

(continued)

of the judge's decrees and final judgments to parties in an  
action may well extend beyond their immediate administrative use.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 18192

4

**TITLE:** Civil registers of actions

**DATES:** 1896-1948

**ARRANGEMENT:** Numerical by case number, thereunder chronological

**TOTAL VOLUME:** 6.00 reels.

**DESCRIPTION:**

Civil cases document the legal process and the administration of justice in conjunction with civil proceedings for the determination of a controversy between parties wherein rights are enforced or protected, or wrongs are prevented or redressed. Records and documents pertaining to a particular civil action are filed together by the court clerk and collectively these documents constitute the case file. As these records or actions are filed, the clerk enters them in the registers which comprise this series. The clerk is required as documents enter the case file to make a notation that shows "the nature of each paper filed or writ issued and the substance of each order or judgment of the court and of the returns showing execution of process. The notation of an order or judgment shall show the date the notation is made. When trial by jury has been properly demanded or ordered the clerk shall enter the word "jury" on the page assigned to that action [UCA 79 (b) (2)]."

A register of actions may contain the following entries for each civil case: name of the attorney for plaintiff and defendant, name of the judge presiding over the case, petitions, complaints, summons, answers to summons, orders from the court, assignment of judges, exhibits, judgment, findings and conclusions, costs, decrees, requests by attorneys for instructions to the jury, verdict, motions for cross complaints or new trials, amendments to previous answers and disclaimers.

**RETENTION AND DISPOSITION AUTHORIZATION:**

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**FORMAT MANAGEMENT:**

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**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 18192

**TITLE:** Civil registers of actions

(continued)

Microfilm duplicate: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

Administrative Historical

This disposition is based on the legal and historical value of the District Court REGISTERS OF ACTIONS. The court clerk is required by law [UCA X, (79) (a)] to keep a register of actions that functions as a chronological list of papers filed and fees paid which relate to individual civil actions.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 9993

3

**TITLE:** Criminal case files

**DATES:** 1896-

**ARRANGEMENT:** Numerical by case number

**TOTAL VOLUME:**

**DESCRIPTION:**

Indictments, subpoenas, verdicts, warrants, returns of warrants, informational papers, affidavits, affidavits of impecuniosity, court orders, judgments, warrants of execution and confinement, warrants of death, notices of appeal, demurrers, answers to demurrers, complaints, and orders to show cause that constitute criminal case files tried by the Fifth District Court in Millard County. Includes predominantly first, second and third degree felonies, but also misdemeanor and juvenile cases.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 09/2009

**FORMAT MANAGEMENT:**

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**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 9993

**TITLE:** Criminal case files

(continued)

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 83443

3

**TITLE:** Judgment docket books

**DATES:** i 1895-

**ARRANGEMENT:** Alphabetical by name.

**ANNUAL ACCUMULATION:** 0.10 cubic feet.

**DESCRIPTION:**

These volumes serve as an alphabetical index to judgments rendered by the Fifth Judicial District Court in and for Millard County. Case information includes the name of the judgment debtor, the name of the judgment creditor, the register number, the court where filed, the date of judgment, the original date of docketing (for cases docketed outside the fifth district), the date of docketing in the fifth district, the amount of the judgment, the book and page number in the judgment record, the date appealed, the judgment of the appellant court, and satisfaction. Volumes were used simultaneously, resulting in a considerable overlapping of the dates cases were initiated. As index sections for more commonly used letters were filled, the clerks began making entries in a newer volume while continuing to make other entries indexed under less commonly used letters in the old one. The first four volumes in the series are stored at the Utah State Archives. Cases in volume 1 date from 1895, those in volume 2 date from 1923, those in volume 3 date from 1937, and those in volume 4 date from 1959. Entries in volume 4 state that a fifth volume is now in use by the agency.

**RETENTION:**

Retain 10 years. Transfer to Archives.

**DISPOSITION:**

Transfer to the State Archives with authority to weed.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 12/1988



**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 83443

**TITLE:** Judgment docket books

(continued)

**FORMAT MANAGEMENT:**

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Paper: Retain in Office for 10 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

Historical

Disposition based on documentation about individuals, legal procedure, court history and functions. Book(s) serve as a vital record essential for the operation of the court and its ability to fulfill obligations to the public.

**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 18186

3

**TITLE:** Judgment record books

**DATES:** 1899-

**ARRANGEMENT:** Chronological by date.

**ANNUAL ACCUMULATION:** 0.10 cubic feet.

**DESCRIPTION:**

The text of judgments rendered in court cases are recorded in these volumes. Included are findings of fact, conclusions of law, and the decree or judgment. Recorded information includes the names of the parties involved, date, a summary of the case and findings, decisions rendered, and the names of officials. A case number is recorded in some instances.

**RETENTION AND DISPOSITION AUTHORIZATION:**

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**FORMAT MANAGEMENT:**

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**APPRAISAL:**

Historical

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**PRIMARY CLASSIFICATION:**

Public

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 1406

4

**TITLE:** Minute books

**DATES:** 1896-

**ARRANGEMENT:** Chronological by date.

**ANNUAL ACCUMULATION:**

**DESCRIPTION:**

These minute books document the daily proceedings of the court but are not transcripts of court cases. Business matters include court site and officers present, jury selection, judicial appointments, expense claims, as well as entries noting the day's proceedings on various cases. A typical case will span multiple dates and will include an indictment or indication of the filed complaint, procedural issues, presentation of the case, witnesses' names, the verdict, and precise sentencing or settlement. The court handled civil, criminal, and probate cases (including adoption, guardianship, and name changes).

**RETENTION:**

Retain Permanent. In Archives custody.

**DISPOSITION:**

Transfer to the State Archives with authority to weed.

**RETENTION AND DISPOSITION AUTHORIZATION:**

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**FORMAT MANAGEMENT:**

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**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 1406

**TITLE:** Minute books

(continued)

**APPRAISAL:**

Administrative Historical Legal

This retention is based on the Judicial Council Retention Schedule and the historical value of these records to document the proceedings of district courts.

**PRIMARY CLASSIFICATION:**

Public

**SECONDARY CLASSIFICATION(S):**

Exempt. UCA 78-30-15 (2008). As of 1 July 1999, adoptions become public after 100 years; until then they are sealed and only obtainable through the court. These books include occasional reference to adoptions.

**AGENCY:** District Court (Fourth District : Millard County)

**SERIES:** 18197

3

**TITLE:** Probate case registers of action index

**DATES:** 1896-

**ARRANGEMENT:** unknown

**ANNUAL ACCUMULATION:**

**DESCRIPTION:**

This index has: old civil cases not in a register, old probate cases not in a register, followed by an index to probate registers, followed by an index to criminal registers. (Index filmed in July 1966)

**RETENTION AND DISPOSITION AUTHORIZATION:**

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**APPROVED:** 09/2009

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